IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ADMIRALTY AND VICE ADMIRALTY JURISDICTION

ADMIRALTY SUIT NO.107 OF 1996

Canara Bank & Ors. .. Plaintiff

vs.

BOSS-I and Others .. Respondents.

Umesh Shetty i/b. Umesh Shetty & Co. Advocate for the Petitioner.

Mr.S.Nair for Defendant Nos.1 and 2.

CORAM : A.S.AGUIAR, J.

DATED : 17th February, 2005.

P.C. :

1. Learned Counsel Mr.S. Nair for the Defendants 1 and 2. Mr.Umesh Shetty learned Counsel for the plaintiff pointed out that this Court by its order dated 11.2.2002 (Coram F.I.Rebello, J.) recorded that the suit, so far as Defendant No.3 is concerned had abated and no steps were taken to bring the legal heirs of Defendant No.3 on record. So far as Defendant

No.4 is concerned, it appears that he has been served. The learned Advocate for the Plaintiff files affidavit proving service by the Sheriffs Office upon Defendant Nos.3 and 4. The learned Advocate for Defendant Nos.1 and 2 and plaintiff state that the parties have settled the dispute and filed the minutes of order.

2. In view thereof the order as per decree in terms of minutes of order signed by the Advocates for the respective parties. No order as to costs. Suit disposed of accordingly.

(A.S.AGUIAR,J.)